

BEST AVAILABLE COPY

REMARKS

Claims 1 – 10, 12 – 19, 30 – 32 and 34 – 37 are pending; claims 12 – 19, 30 – 32, 34, 36 and 37 are allowed; and claims 1 – 10 and 35 are rejected.

The applicant's attorney amends claim 1 and asserts that claims 1 – 10 and 35, as amended, are in condition for allowance for the reasons discussed below.

Rejection of Claims 1 – 10 and 35 under 35 U.S.C. §102(b)

The applicant respectfully disagrees with the examiner's rejection of claim 1 over U.S. Patent 4,062,372 issued to Slusher (Slusher) because Slusher fails to disclose a support that includes a leg not attached to an extendable arm.

The applicant's claim 1, as amended, recites a support that includes an extendable arm and a leg that is not attached to the extendable arm.

For example, as shown in FIGS. 1 and 2 the support 10 includes a body 16, two extendable arms 12 and two legs 14. Each extendable arm 12 is attached to the body 16 and each leg 14 is attached to the body 16, but each leg 14 is not attached to one or more of the extendable arms 12.

In contrast, Slusher fails to disclose a support that includes a leg not attached to an extendable arm. Slusher discloses a walking cane 10 that includes a tube 11 (FIGS. 1 and 2), three struts 31, 32 and 33 (FIGS. 1 and 2) that are pivotally mounted to the tube and three braces 45 (FIGS. 1 and 2). Col. 1; lines 27 – 60. Each brace 45 is attached to a piston 21 that slides inside the tube 11. Each brace 45 is also attached to a respective one of the struts 31, 32 and 33 with a pin 46. When one moves the piston 21 toward the point on the tube 11 where each strut 31, 32 and 33 are attached to the tube 11, each brace 45 pivots their respective strut 31, 32 and 33 away from the tube 11. Thus, unlike the legs of the applicant's support, Slusher's struts 31, 32 and 33 are each attached to a respective one of the braces 45.

Claims 2 – 10 and 35 are patentable by virtue of their dependencies on claim 1 as amended.

BEST AVAILABLE COPY

Conclusion

The applicant's attorney respectfully requests the examiner withdraw his rejection of claims 1 – 10 and 35 in view of the amendment to claim 1 and the remarks, and issue an allowance for claims 1 – 10, 12 – 19, 30 – 32 and 34 – 37.

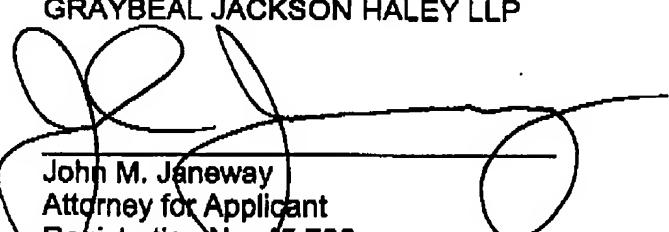
Should any additional fees be required, please charge them to Deposit Account No. 07-1897.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the Applicant's attorney, John Janeway, at (425) 455-5575.

DATED this 25th day of January 2005.

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP



John M. Janeway
Attorney for Applicant
Registration No. 45,796
155-108th Avenue N.E., Ste. 350
Bellevue, WA 98004-5973
(425) 455-5575